Calendar No. 1955

82D CONGRESS, 2d Session | SENATE | REPORT No. 2035

ERIKA O. EDER AND HER SON, JAMES ROBERT EDER

JULY 1 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

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REPORT

[To accompany H. R. 7366]

The Committee on the Judiciary, to which was referred the bill (H. R. 7366) for the relief of Erika O. Eder and her son, James Robert Eder, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable the German financée of a United States citizen serviceman and her minor child to enter the United States for the purpose of marrying the said serviceman and to thereafter reside in the United States.

STATEMENT OF FACTS

The beneficiaries of the bill are mother and 3-year-old son who are natives and citizens of Germany. The mother is engaged to Sgt. James D. Van Dyne, a member of the United States Armed Forces presently stationed at Andrews Air Force Base, Washington, D. C.

Congressman Wayne L. Hays, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in connection with the bill:

APRIL 8, 1952.

Subject: Sworn statement.

To Whom It May Concern:

1. I, James D. Van Dyne, technical sergeant, United States Air Force, do hereby swear that the following statements and attached papers are true and correct to the best of my knowledge.

2. I have been a member of the United States Air Force since January 1948 and at the present time am serving a 6-year term of enlistment. I have no debts and have a savings account with the First National Bank of Southern Maryland,

Drawer No. 6, Upper Marlboro, Md. If I am permitted to marry, my income will be $285 per month. I am sure that I can support my dependents, Miss Erika O. Eder, and her son, James Robert Eder, born December 1948. I am willing to adopt him as a son.

3. My acquaintance with Miss Eder began in December 1949 through a mutual friend. From that date until May 1, 1950, we kept steady company. I have investigated her past with reference to the child born to her out of wedlock and find that she is a girl of high moral character and is a member of a family with a Christian background. Following that date, and with the full consent of her parents, whom I met, we became engaged.

4. In view of the provisions of Twelfth AF Regulation 30–5, I was prevented from completing the requirements for our marriage, due to the fact that I had to return to the zone of interior on emergency leave because of a serious family affair. As a result, I was given a PCS (permanent change of station). This prevented my returning to Germany to complete the arrangements for marriage. Also, due to the large number of marriage applications to be processed at that time, my application was delayed beyond the time when I left Germany. The papers were forwarded to my present organization on March 21, 1952, for processing and approval. However, Civil Law 717, amendment 6 expired March 19, 1952. All papers have been forwarded to me showing that investigations for screening foreign nationals have been completed and a copy is on file at Headquarters, United States Air Force, Europe, APO 633, c/o Postmaster, New York, N. Y.

5. Reference is made to attached papers.

JAMES D. VAN DYNE,
Technical Sergeant, USAF, AF13268197.

Subscribed and sworn to before me at Andrews Air Force Base, Washington 25, D. C., this 8th day of April 1952.

HAROLD M. MCMASTER,
Second Lieutenant, USAF, Assistant Adjutant.

AIRWAYS AND AIR COMMUNICATIONS SERVICE,
1909TH AACS SQUADRON,
ANDREWS AIR FORCE BASE,
Washington 25, D. C., April 7, 1952.

To Whom It May Concern:

I, Tech. Sgt. David C. Harrell, AF33870145, have known Miss Erika O. Eder, Robert Koch Str No. 3, Munich, Germany, for approximately 2 years and at all times Miss Eder has appeared to be one of high moral character. She has a good command of the English language and could readily adapt herself to the American way of life.

DAVID C. HARRELL,
Technical Sergeant, USAF, AF33870145.

Subscribed and sworn to before me at Andrews Air Force Base, Washington 25, D. C.. this 7th day of April 1952.

HAROLD M. MCMASTER,
Second Lieutenant, USAF, Assistant Adjutant.

STATEMENT OF THE CHAPLAIN

HEADQUARTERS, 1050TH AIR BASE WING,
OFFICE OF THE CHAPLAIN,
ANDREWS AIR FORCE BASE,
Washington 25, D. C., April 8, 1952.

I have interviewed Tech. Sgt. James D. Van Dyne, AF13268197, 1909th AACS, concerning his marriage to a German national presently residing in Munich 2, Grunwald, Robert Koch Strasse No. 3, Germany. It is my sincere belief that no problem is involved to prevent this marriage.

Subject airman is presently assigned on this base in a position of responsibility. He has the complete confidence of his superior officers in regard to his capability and dependability.

I have discussed with Technical Sergeant Van Dyne the problems and responsibilities of marriage to a German spouse and it is my opinion he is mature and

capable of fulfilling all expectancies, and there is no reason to believe this marriage should not have an excellent chance to succeed.

I recommend that provisions be made for obtaining a visa for this spouse to permit her to come to the zone of interior for the purpose of marrying Technical Sergeant Van Dyne.

FRANK L. WHITE,
Chaplain (Major) USAF.

Subscribed and sworn to before me at Andrews Air Force Base, Washington 25, D. C., this 8th day of April 1952.

JOHN E. MASSEY,
First Lieutenant, USAF (MSC), Adjutant.

APRIL 7, 1952.

Subject: Character reference Tech. Sgt. James D. Van Dyne.
To: Whom It May Concern.
From: Capt. Gene A. Wolz.

During the 13 months I have been acquainted with Technical Sergeant Van Dyne I have come to know him intimately. He is loyal, trustworthy, dependable, and patriotic.

The main interests of subject airman are centered around his duty, hunting, fishing, and various other seasonal sports.

There are no known occasions where this airman has failed to live up to the code of conduct, militarily or socially, expected of a noncommission officer of the United States Air Force.

GENE A. WOLZ,
Captain, USAF.

Subscribed and sworn to before me at Andrews Air Force Base, Washington 25, D. C., this 7th day of April 1952.

HAROLD M. MCMASTER,
Second Lieutenant, USAF, Assistant Adjutant.

AIRWAYS AND AIR COMMUNICATIONS SERVICE,
1909TH AACS SQUADRON,
ANDREWS AIR FORCE BASE,
Washington 25, D. C., April 7, 1952.

STATEMENT

To Whom It May Concern:

Tech. Sgt. James D. Van Dyne, AF13268197, has been under my command since January 5, 1952. Since coming under my command, I have come to know Technical Sergeant Van Dyne personally as an airman in performance of his duties and in participation of organizational sports. Technical Sergeant Van Dyne is of high moral character and a credit to the United States Air Force.

Records of this organization indicate nothing but honorable service.

JASPER M. P. VAUGHN,
Lieutenant Colonel, USAF, Commanding.

Subscribed and sworn to before me at Andrews Air Force Base, Washington 25, D. C., this 7th day of April 1952.

HAROLD M. MCMASTER,
Second Lieutenant, USAF, Assistant Adjutant.

AIRWAYS AND AIR COMMUNICATIONS SERVICE,
HEADQUARTERS 1972D AACS SQUADRON,
APO 407-A, care of Postmaster, New York, N. Y., July 31, 1951.

Subject: Letter of consent to marry United States military or civilian personnel.
To: Commanding Officer, 1972d AACS Squadron, APO 407-A, United States Army.

1. I, Erika Olga Eder, Miss, No. 17 Stren Strasse, Munich 22, Germany, of German nationality, hereby state my complete willingness to enter into marriage with Staff Sgt. James D. Van Dyne.

2. I understand the provisions of the local marriage laws and regulations, and they will be complied with if the marriage is approved.
3. I understand the provisions of Twelfth Air Force Regulation 30–5, and other directives governing this marriage and my emigration to the United States, if applicable.
4. I have dependent children. James Robert Eder, 2 years, 6 months.
5. I have not been previously married.
6. I understand that we will not necessarily receive preferential treatment after marriage as to food, separate housing, and priority to return to or entry into the United States.
7. I understand that approval of marriage does not insure issuance of an immigration visa for my entry into the United States.

ERIKA O. EDER.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 7366) should be enacted.

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